

EXHIBIT A



KeyBank  
P.O. Box 93885  
Cleveland, OH 44101-5885

Business Banking Statement  
December 31, 2023  
page 1 of 3

PRIME CAPITAL VENTURES  
66 S PEARL ST FL 10  
ALBANY NY 12207-1533

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Key Business Reward Checking [REDACTED] 233  
PRIME CAPITAL VENTURES

Beginning balance 11-30-23	\$149,705.32
3 Additions	+5,357,000.00
27 Subtractions	-5,504,528.66
Net fees and charges	-253.00
<b>Ending balance 12-31-23</b>	<b>\$1,923.66</b>

Additions

Deposits	Date	Serial #	Source	
12-4	397140		Wire Deposit Mirror Lake Cons 0340	\$7,000.00
12-15	544907		Wire Deposit Conexctions Inc 3671	350,000.00
12-22	629232		Wire Deposit 1800 Park Ave Ch 8794	5,000,000.00
<b>Total additions</b>				<b>\$5,357,000.00</b>

Subtractions

Withdrawals	Date	Serial #	Location	
12-1	363026		Wire Withdrawal Mirror Lake Cons 0340	\$7,000.00
12-1	377067		Internal Wire Wd 6706	14,803.66
12-1			Direct Withdrawal, Erase Technology [REDACTED] 2261	3,000.00
12-1			Internet Trf To DDA [REDACTED] 541 3290	60,000.00
12-4			Internet Trf To DDA [REDACTED] 768 3290	300.00
12-4			Internet Trf To DDA [REDACTED] 134 3290	1,000.00
12-5	411425		Wire Withdrawal Mirror Lake Cons 0340	7,000.00
12-5			Internet Trf To DDA [REDACTED] 2848 3290	1,500.00
12-7			Internet Trf To DDA [REDACTED] 41 3290	21,000.00
12-11			Direct Withdrawal, Erase Technology [REDACTED] 2261	2,000.00
12-14			Internet Trf To DDA [REDACTED] 41 3290	38,800.00
12-15	545498		Wire Withdrawal Chris Snyder 4232	15,000.00
12-15	545645		Wire Withdrawal American Venture 9645	30,000.00

Business Banking Statement  
December 31, 2023  
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**Subtractions**

(con't)

Withdrawals	Date	Serial #	Location			
	12-15		Internet Trf To DDA 0000	2848	3290	3,000.00
	12-15		Internet Trf To DDA 0000	4465	3290	10,000.00
	12-15		Internet Trf To DDA 0000	4541	3290	15,000.00
	12-15		Internet Trf To DDA 0000	4541	3290	20,000.00
	12-15		Internet Trf To DDA 0000	4541	3290	42,000.00
	12-18		Internet Trf To DDA 0000	6837	3290	3,500.00
	12-18		Internet Trf To DDA 0000	4541	3290	15,000.00
	12-18		Direct Withdrawal, Royal Bank of Caloan Pmnt			34,000.00
	12-19		Internet Trf To DDA 000000	4541	3290	24,000.00
	12-20		Direct Withdrawal, Erase Technologi	2261		125.00
	12-20		Internet Trf To DDA 000000	2848	3290	2,500.00
	12-20		Internet Trf To DDA 000000	4541	3290	4,000.00
	12-20		Internet Trf To DDA 000000	465	3290	130,000.00
	12-22		Internet Trf To DDA 000000	465	3290	5,000,000.00
			<b>Total subtractions</b>			<b>\$5,504,528.66</b>

**Fees and charges**

Date		Quantity	Unit Charge	
12-11-23	Kn Inwre	1	32.00	-\$32.00
12-11-23	Kn Dmwre	1	221.00	-221.00
<b>Fees and charges assessed this period</b>				<b>-\$253.00</b>

**Account messages**

Important updates have been made to your Small Business Checking Account Fees and Disclosures.

Great news regarding your Small Business Checking Account. The following fees have been eliminated:

The Charge for Special Statement fee has changed from \$6.00 to \$0.00.

The Out-of-Cycle Statements fee has changed from \$7.50 to \$0.00.

The Charge for Counterchecks fee of \$1.00 has been eliminated.

Also, the Foreign Draft service is no longer available. If you have any questions, please call 1-888-KEY-4BIZ® (1-888-539-4249). For clients using a TDD/TTY device, please call 1-800-539-8336.



**EXHIBIT C**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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COMPASS-CHARLOTTE 1031, LLC,

Plaintiff,  
-against-

Case No.: 1:24-cv-55

PRIME CAPITAL VENTURES, LLC  
BERONE CAPITAL FUND, LP  
BERONE CAPITAL PARTNERS LLC  
BERONE CAPITAL LLC  
BERONE CAPITAL EQUITY FUND I, LP  
405 MOTORSPORTS LLC f/k/a Berone Capital Equity  
Partners LLC

Defendants.

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**ORDER TO SHOW CAUSE FOR THE APPOINTMENT OF A RECEIVER ON AN  
EMERGENCY BASIS AND FOR EXPEDITED DISCOVERY**

Upon the Verified Complaint filed by Plaintiff on January 12, 2024 and the exhibits annexed thereto, upon the Declaration of Christopher V. Fenlon, dated January 12, 2024, and upon Plaintiff's Memorandum of Law in Support of Emergency Motion for Appointment of a Receiver and for Expedited Discovery (the "Emergency Motion") and Plaintiff having complied with Local Rule 7.1(e), and good cause having been shown for the relief granted herein, it is:

**ORDERED** that Defendants, Prime Capital Ventures, LLC ("Prime") and Berone Capital Fund, LP, Berone Capital Partners LLC, Berone Capital LLC, Berone Capital Equity Fund I, LP, and 405 Motorsports LLC f/k/a Berone Capital Equity Partners LLC (the "Berone Defendants") (collectively, "Defendants") show cause before the Honorable Mae A. D'Agostino of the United States District Court for the Northern District of New York at the James T. Foley Federal Courthouse, 445 Broadway, Albany, New York, on Monday, January 22, 2024, at 9:00 a.m., or as soon thereafter as counsel can be heard, why an Order should not be entered:

1. Pursuant to Rule 66 of the Federal Rules of Civil Procedure, appointing a receiver until further order of the Court, with all of the usual powers, including but not limited to, the power to: (a) take exclusive possession, custody, and control of all of Defendants' books and records and assets, wherever located; (b) exclusively operate and manage Defendant's businesses until further order of this Court; and (c) pursue such further and other relief as may be proper, necessary or just under the circumstance; and
2. Pursuant to Rules 26, 30, 31, 33, 34, 36, and 45 of the Federal Rules of Civil Procedure, authorizing Plaintiff to take expedited discovery of Defendants and certain third-parties identified in Plaintiff's papers without the requirement of a meeting pursuant to Fed. R. Civ. P. 26(f), and without regard to the limitation of Fed. R. Civ. P. 30(a)(2) and 30(d).

**IT IS FURTHER ORDERED** that, sufficient reason and good cause having been shown therefor, pending the hearing of Plaintiff's Emergency Motion, and pursuant to Rule 66 of the Federal Rules of Civil Procedure, and until further order of the Court, Paul Levine, Esq. of the law firm Lemery Greisler LLC, shall be appointed to serve as the temporary receiver ("Receiver") for the Defendants, and shall have the following powers and duties:

1. The Receiver shall have and retain and is hereby granted exclusive dominion and control over all of the assets, books and records, operations and business affairs of Defendants.
2. The Receiver's authority hereunder shall be, and hereby is, vested in and extended to (a) all of Defendants' real property, equitable property, tangible and intangible personal property, interest, or assets of any nature, wherever located and (b) all claims, demands, or causes of action of any kind, character or description, regardless of the legal principle or theory upon which the same may be based, whether known or unknown, liquidated or unliquidated, disputed or undisputed, contingent or absolute, accrued or unaccrued,

matured or un-matured, insured or uninsured, joint or several, determined or undetermined, determinable or otherwise.

3. The Receiver is hereby authorized to operate and manage Defendants' business until further order of Court.

4. The Receiver is hereby authorized to take possession of and, in his discretion, close Defendants' existing deposit accounts and open new accounts in the Receiver's name.

5. The Receiver is authorized to take any and all actions the Receiver, in his sole discretion, deems appropriate in order to ascertain the amount and location of Defendants' assets.

6. The Receiver is authorized to retain, employ, and pay for the services of individuals or firms selected by the Receiver in his discretion and in consultation with Plaintiff to assist in the performance of the Receiver's duties. It shall not be grounds for an attorney's disqualification that the attorney is affiliated with the Receiver's law firm.

7. The Receiver shall have the duties and responsibilities of a receiver under law, shall be answerable and account to the Court for the Receiver's activities, and shall maintain a detailed accounting of his activities, including without limitation, any and all funds collected and used for any purpose.

8. The Receiver shall not be liable for any debts or liabilities of Defendant.

**IT IS FURTHER ORDERED** that upon the Court's appointment of the Receiver, Defendants, their agents, servants, representatives, employees, assigns, affiliates, subsidiaries and their affiliates' and subsidiaries' agents, servants, representatives, employees, assigns and nominees (including without limitation Kris Roglieri, Kimberly "Kimmy" Humphrey, and Prime Commercial Lending, LLC and all of its employees) shall immediately turn over Defendants' businesses and all assets to the Receiver (including the keys to all real estate owned by Prime including the house located at 600 Linkhorn Drive, Virginia Beach, Virginia), together with all

contracts, subcontracts, and other documents, records (both physical and electric), files and other materials relating thereto, and the foregoing individuals and entities shall fully cooperate with and respond to all reasonable requests of the Receiver, including requests immediately to turn over financial records within three (3) business days of the request of the Receiver.

**IT IS FURTHER ORDERED** that the foregoing individuals and entities shall not destroy, alter or conceal any records (including both physical and digital records).

**IT IS FURTHER ORDERED** that Defendants shall pay the reasonable costs, fees, and expenses of the Receiver incurred in connection with the performance of his duties. All applications for costs, fees, and expenses of the Receiver and those employed by him shall be made by application to the Court setting forth in reasonable detail the nature of such costs, fees, and expenses.

**IT IS FURTHER ORDERED** that, sufficient reason and good cause having been shown therefor, pending the hearing of Plaintiff's Emergency Motion, and pursuant to Rules 26, 30, 31, 33, 34, 36, and 45 of the Federal Rules of Civil Procedure, and until further order of the Court, Plaintiff is hereby authorized to take expedited discovery of Defendants and certain third-parties identified in Plaintiff's papers without the requirement of a meeting pursuant to Fed. R. Civ. P. 26(f), and without regard to the limitation of Fed. R. Civ. P. 30(a)(2) and 30(d) as follows:

1. Plaintiff may obtain the production of documents, within three (3) calendar days from service by facsimile, email or otherwise of a subpoena, from any non-party persons or entities.

**IT IS FURTHER ORDERED** that service of a copy of the Verified Complaint, this Order to Show Cause, and supporting papers, upon Defendant Prime by email to Kris Roglieri (kris@primecommerciallending.com) and Kimberly ("Kimmy") Humphrey (kimmy@primecommerciallending.com) and overnight courier to Prime Capital Ventures, LLC,

66 Pearl Street – 10th Floor, Albany, New York 12207, and upon the Berone Defendants by email to Fabian Stone (stone@beronecapital.com) and Jeremiah Beguesse (jeremiah@beronecapital.com) and overnight courier to A Registered Agent, Inc., 8 The Green – Suite A, Dover, Delaware 19901 and Sunshine Corporate Filings LLC, 7901 4th Street, N. – Suite 300, St. Petersburg, Florida, 33702, on or before as soon as possible, but no later than Tuesday, January 16, 2024, shall be deemed good and sufficient service thereof.

**IT IS FURTHER ORDERED** that the Defendants shall deliver any opposing papers in response to the Order to Show Cause no later than Thursday, January 18, 2024, at 5:00 p.m. Service shall be made by delivering the papers by email to Plaintiff's counsel and by filing on PACER. Plaintiff shall have until Friday, January 19, 2024, at 5:00 p.m. to serve any reply papers upon the Defendants or their respective counsel, including by any form of service authorized in the foregoing paragraph.

IT IS SO ORDERED.

DATED: January 12, 2024

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE



## EXHIBIT D

31 T [REDACTED]  
\*PRIME COMMERCIAL LENDING LLC  
66 S PEARL ST FL 10  
ALBANY NY 12207-1533

Questions or comments?

Call 1-800-821-2829

Commercial Transaction: [REDACTED] 4465

\*PRIME COMMERCIAL LENDING LLC

Beginning balance 12-31-23	\$1,241,497.94
6 Additions	+18,931.18
51 Subtractions	-986,629.53
<b>Ending balance 1-31-24</b>	<b>\$273,799.59</b>

## Additions

Deposits	Date	Serial #	Source	
1-2	807399		Wire Deposit Oceanview Life A 0242	\$7,952.71
1-4			Direct Deposit, Vantage Vantage	1,527.31
1-18			Silver Hill Funding LI 305-341-5580 FL	1,100.00
1-23			Key Merchant Svsdeposit [REDACTED] 3881	4,095.00
1-30			Key Merchant Svsdeposit [REDACTED] 3881	3,695.00
1-31			Direct Deposit, Fundation Ops Payment	561.16
<b>Total additions</b>				<b>\$18,931.18</b>

## Subtractions

Withdrawals	Date	Serial #	Location	
1-2			Internet Trf To DDA [REDACTED] 4541 3290	\$4,000.00
1-2			Internet Trf To DDA [REDACTED] 2134 3290	1,000.00
1-2			Google *Gsuite_Printeco Mountain View CA	290.97
1-2			Google *Gsuite_Fuckyou 650-253-0000 CA	12.96
1-3	817103		Wire Withdrawal Mark Palines 2765	60,100.00
1-3			Internet Trf To DDA [REDACTED] 4541 3290	20,000.00
1-3			Internet Trf To DDA [REDACTED] 2848 3290	15,000.00
1-3			Key Merchant Svsdiscount [REDACTED] 3881	90.35
1-5	859167		Wire Withdrawal Ai Design 8422	150,000.00
1-5	847005		Wire Withdrawal Rodolfo Rodrigue 6132	11,929.06
1-5	846942		Wire Withdrawal Erik Martin 9470	9,916.47
1-5	847852		Wire Withdrawal Flex Capital 0338	3,600.00
1-5	847885		Wire Withdrawal Mulberry Atman 7828	3,516.00
1-5	847029		Wire Withdrawal Tsalach Llc 6673	1,478.40

**Subtractions**

(con't)

Withdrawals	Date	Serial #	Location			
1-5		847061	Wire Withdrawal Erik Martin	9470		739.20
1-8			Internet Trf To DDA	██████████ 4541	3290	35,000.00
1-8			Internet Trf To DDA	██████████ 4541	3290	30,000.00
1-8			Internet Trf To DDA	██████████ 4541	3290	30,000.00
1-8			Internet Trf To DDA	██████████ 2134	3290	25,000.00
1-8			Internet Trf To DDA	██████████ 2848	3290	11,000.00
1-8			Internet Trf To DDA	██████████ 2848	3290	6,000.00
1-9		885652	Wire Withdrawal Ai Design	8422		224,329.47
1-9		890854	Internal Wire Wd	2391		7,930.00
1-9		889154	Wire Withdrawal Bull Capital Sol	7565		2,123.74
1-10			Internet Trf To DDA 000	██████████ 2848	3290	18,000.00
1-11		929290	Wire Withdrawal Rodino and Assoc	9304		1,000.00
1-11			Internet Trf To DDA 0000	██████████ 4541	3290	95,000.00
1-11			Eig*Constantcontact.CO	Waltham	MA	10.79
1-16			Internet Trf To DDA 0000	██████████ 2848	3290	7,000.00
1-17		985359	Wire Withdrawal Saratoga Capital	7150		5,036.73
1-17		984158	Wire Withdrawal Saratoga Capital	7150		423.23
1-17		984152	Wire Withdrawal Bull Capital Sol	7565		209.00
1-18			Direct Withdrawal, Discover	E-Payment		21,405.25
1-18			Internet Trf To DDA 0000	██████████ 4541	3290	15,000.00
1-18			Internet Trf To DDA 0000	██████████ 5837	3290	12,000.00
1-18			Corelogic Coll Pymt	Irvine	CA	876.60
1-18			Internet Trf To DDA 0000	██████████ 0782	3290	200.00
1-19			Internet Trf To DDA 0000	██████████ 2848	3290	29,000.00
1-19			Internet Trf To DDA 0000	██████████ 2848	3290	2,000.00
1-19			Cash App*Kdrshark*Add	San Francisco	CA	200.00
1-23			Internet Trf To DDA 00000	██████████ 4541	3290	15,000.00
1-23			Lender Fees	855-722-7558	FL	3,600.00
1-23			Lender Fees	855-722-7558	FL	495.00
1-23			Ipostalrenewal	██████████ 5770	NY	45.19
1-24			Erase Technologies	866-689-2261	FL	4,500.00
1-25			Internet Trf To DDA 00000	██████████ 4541	3290	70,000.00
1-25			Velocity Marketing Ass	Schenectady	NY	876.12
1-30			Lender Fees	855-722-7558	FL	3,200.00
1-30			Lender Fees	855-722-7558	FL	495.00
1-31			Internet Trf To DDA 0000	██████████ 4541	3290	19,000.00
1-31			Internet Trf To DDA 0000	██████████ 4541	3290	9,000.00
			<b>Total subtractions</b>			<b>\$986,629.53</b>

**Fees and charges**

See your Account Analysis statement for details.



**EXHIBIT E**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**COMPASS-CHARLOTTE 1031, LLC,**

**Plaintiff,**

**1:24-CV-55  
(MAD/CFH)**

**-against-**

**PRIME CAPITAL VENTURES, LLC**

**BERONE CAPITAL FUND, LP**

**BERONE CAPITAL PARTNERS LLC**

**BERONE CAPITAL LLC**

**BERONE CAPITAL EQUITY FUND I, LP**

**405 MOTORSPORTS LLC f/k/a Berone Capital Equity  
Partners LLC,**

**Defendants.**

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**PAUL A. LEVINE, as RECEIVER of PRIME CAPITAL  
VENTURES, LLC,**

**Third-Party Plaintiff,**

**-against-**

**KRIS D. ROGLIERI, TINA M. ROGLIERI, KIMBERLY  
A. HUMPHREY a/k/a "KIMMY" HUMPHREY, PRIME  
COMMERCIAL LENDING, LLC, COMMERCIAL  
CAPITAL TRAINING GROUP, THE FINANCE  
MARKETING GROUP, NATIONAL ALLIANCE OF  
COMMERCIAL LOAN BROKERS LLC, FUPME, LLC,**

**Third-Party Defendants,**

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**ORDER TO SHOW CAUSE FOR ATTACHMENT AND EXPEDITED DISCOVERY**

Upon the Verified Third-Party Complaint, filed by Paul A. Levine, as Receiver of Prime Capital Ventures LLC, sworn to on January 27, 2024, and the Exhibits annexed thereto, the Declaration of Robert A. Lippman, Esq., sworn to on January 29, 2024, and upon the Receiver's Memorandum of Law in Support of Injunctive Relief, and upon the Receiver/Third-Party Plaintiff

having complied with Local Rule 7.1(e), and good cause having been shown for the relief granted herein, it is:

**ORDERED** that Third-Party Defendants Kris D. Roglieri, Tina M. Roglieri, Kimberly A. Humphrey a/k/a Kimmy Humphrey, Prime Commercial Lending, LLC, Commercial Capital Training Group, LLC, The Finance Marketing Group, National Alliance of Commercial Loan Brokers, and FUPME, LLC (hereinafter collectively "Third-Party Defendants") show cause before the Honorable Mae A. D'Agostino of the United States District Court for the Northern District of New York at the James T. Foley Federal Courthouse, 445 Broadway, Albany, New York, on Thursday, February 15, 2024, at 2:30 p.m., or as soon thereafter as counsel can be heard, why an Order should not be granted:

A. Pursuant to Rule 64 of the Federal Rules of Civil Procedure, enjoining Third-Party Defendants from making payments, distributions, or otherwise withdrawing or encumbering funds to themselves, to each other, or to their respective affiliates and/or family members, from any bank accounts where Third-Party Plaintiff, Prime Capital Ventures, LLC ("Prime"), or any Third-Party Defendant herein deposited, held or received in connection with loan financing to Prime's borrowers, including but not limited to the following entities and individuals: Compass-Charlotte 1031, LLC, HCW Biologics Inc., Newlight Technologies, Inc., 526 Murfreesboro, LLC, Motos America Inc., Piper Capital Funding, ER Tennessee LLC, B&R Acquisition Partners, Onward Holdings/Onward Partners LLC, Camshaft CRE 1, LLC and 1800 Park Avenue LLC (collectively hereinafter the "Borrowers"), specifically including, but not limited to Borrower Interest Credit Account ("ICA") funds deposited to the following bank accounts, which are hereby attached, hereinafter, collectively defined as the "ICA Accounts", to wit:

- a. CitiBank, account ending in 6945;
- b. KeyBank, account ending in 2233;
- c. KeyBank, account ending in 2878;
- d. Farmers State Bank, account ending in 5665;
- e. Interactive Brokers, account ending in 0095;
- f. Interactive Brokers, account ending in 0712;
- g. Interactive Brokers, account ending in 0067;
- h. RBC, account ending in 0017;

B. Pursuant to Rule 64 of the Federal Rules of Civil Procedure, enjoining Third-Party Defendants from transferring, selling, disposing, driving or encumbering the following automobile assets, which are hereby attached:

<u>Year</u>	<u>Make/Model</u>	<u>Tag</u>	<u>Color</u>
2017	Novitec Ferrari 488 N-Largo	NLargo2	Rosso Corsa
2022	Ferrari 812 Competizione	812ZIONE	Blu Corsa
?	Ford GT '69 Gulf Livery Heritage Edition	DPL987	Gulf Blue
2021	Mercedez-Benz AMG GT Black Series	GTBLACK	Designo Graphite Grey Magno
2020	Lamborghini Aventador SVJ	SVJSHARK	Nero Aldebaran
2014	Mercedes-Benz SLS AMG Black Series	BKSERIES	Obsidian Black Metallic
2019	Novitec McLaren 720S N-Largo	NLARGO3	Supernova Silver
2014	Novitec Ferrari F12 N-Largo	NLARGO	Nero Daytona
2004	Gemballa Mirage GT	?	Blue Metallic
2002	Ferrari Enzo	S11GAR	Rosso Corsa

2006	Maserati MC12 Corsa	?	MC Victory Blue
2014	Ferrari LaFerrari	?	Rosso Corsa

C. Pursuant to Rule 64 of the Federal Rules of Civil Procedure, enjoining Third-Party Defendants from transferring, selling, disposing or encumbering any real estate, personal property or other tangible assets in their possession or to which they hold title or any legal interest, which tangible assets were purchased with monies from the above-identified ICA Accounts, including but not limited to the following:

- a. That certain real property known as 600 Linkhorn Drive, Virginia Beach, VA;
- b. That certain property known as 40 North Road, Queensbury, NY;
- c. A Richard Mille Skull 52-01 Tourbillon Skull wristwatch, purchased by Prime Capital Ventures from Platinum Times, for \$2,275,000 (currently in the possession of the Receiver, Paul A. Levine, Esq.)
- d. The additional items of personal property, vehicles (or vehicle related expenditures) identified in Paragraph "77" of the Third-Party Complaint, having been purchased from or through AI Design, Cars USA Shipping, Capital Ford, Scott Oliver Law, RENNtech Inc., Bonhams Butterfields Trust, Rockland Auto, RM Auctions Inc. (aka "RM Sotheby's"), CFR Classic LLC, Hunter Motorsports, Keeler Motor Car Co., Wrist Afficionado, 1st Dibs, Cedric Dupont, Prive Porter, Platinum Times LLC, Timepiece Trading, Giganti and Giganti, Luxury Bazaar and Richemont North.

D. Requiring Third-Party Defendants to return all funds withdrawn from the aforesaid ICA Accounts which were withdrawn for any purpose other than that provided for in the Line of Credit lending documents or agreements executed between a Borrower and Prime

Capital Ventures, LLC, Prime Commercial Lending, LLC, Commercial Capital Training Group, The Finance Marketing Group, National Alliance of Commercial Loan Brokers LLC, or FUPME, LLC;

E. Authorizing the Receiver, pursuant to F.R.C.P. 26, 30, 31, 33, 34, 36 and 45, to take expedited discovery of Third-Party Defendants and necessary third-parties identified herein and in the Third-Party Complaint, without the requirement of a meeting pursuant to F.R.C.P. 26(f), and without regard to the limitation of F.R.C.P. 30(a)(2) and 30(d).<sup>1</sup>

**IT IS FURTHER ORDERED** that, sufficient reason and good cause having been shown therefor, pending the hearing of the Receiver's Emergency Motion, and pursuant to Rule 64 of the Federal Rules of Civil Procedure, and until further order of the Court, that Third-Party Defendants are hereby temporarily restrained from withdrawing or encumbering funds to themselves, to each other, or to their respective affiliates and/or family members, from any bank accounts where Third-Party Plaintiff Prime Capital Ventures, LLC, or any Third-Party Defendant herein deposited, held or received in connection with loan financing to Prime's Borrowers, specifically including the ICA Accounts, to wit:

- a. CitiBank, account ending in 6945;
- b. KeyBank, account ending in 2233;
- c. KeyBank, account ending in 2878;
- d. Farmers State Bank, account ending in 5665;
- e. Interactive Brokers, account ending in 0095;

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<sup>1</sup> The Court denies the Receiver's request for temporary expedited discovery prior to the hearing because discovery is currently stayed pending the Second Circuit's decision on Defendant Prime Capital Ventures, LLC's interlocutory appeal. *See* Dkt. No. 68. The parties should be prepared to discuss whether discovery should resume at the Show Cause hearing.

- f. Interactive Brokers, account ending in 0712;
- g. Interactive Brokers, account ending in 0067;
- h. RBC, account ending in 0017;

**AND IT IS FURTHER ORDERED** that Third-Party Defendants are hereby temporarily restrained from transferring, selling, disposing or encumbering the vehicles listed below, shall immediately cease driving said vehicles or exposing them to any damage or depreciation, and shall immediately turn over to the Receiver the insurance policies, in connection with the following:

Year	Make/Model	Tag	Color
2017	Novitec Ferrari 488 N-Largo	NLargo2	Rosso Corsa
2022	Ferrari 812 Competizione	812ZIONE	Blu Corsa
?	Ford GT '69 Gulf Livery Heritage Edition	DPL987	Gulf Blue
2021	Mercedez-Benz AMG GT Black Series	GTBLACK	Designo Graphite Grey Magno
2020	Lamborghini Aventador SVJ	SVJSHARK	Nero Aldebaran
2014	Mercedes-Benz SLS AMG Black Series	BKSERIES	Obsidian Black Metallic
2019	Novitec McLaren 720S N-Largo	NLARGO3	Supernova Silver
2014	Novitec Ferrari F12 N-Largo	NLARGO	Nero Daytona
2004	Gemballa Mirage GT	?	Blue Metallic
2002	Ferrari Enzo	S11GAR	Rosso Corsa
2006	Maserati MC12 Corsa	?	MC Victory Blue
2014	Ferrari LaFerrari	?	Rosso Corsa

**AND IT IS FURTHER ORDERED** that Third-Party Defendants are hereby temporarily

enjoined from transferring, selling, disposing of or encumbering any of the real estate, personal property or other tangible assets in their possession or to which they hold title, which were purchased with monies from the ICA Accounts, or modified or repaired with monies from the ICA Accounts, including but not limited to the following:

- a. That certain real property known as 600 Linkhorn Drive, Virginia Beach, VA;
- b. That certain property known as 40 North Road, Queensbury, NY;
- c. A Richard Mille Skull 52-01 Tourbillon Skull wristwatch, purchased by Prime Capital Ventures from Platinum Times, for \$2,275,000 (currently in the possession of the Receiver, Paul A. Levine, Esq.)
- d. The additional items of personal property identified in Paragraph "77" of the Third-Party Complaint, having been purchased from or through AI Design, Cars USA Shipping, Capital Ford, Scott Oliver Law, RENNtech Inc., Bonhams Butterfields Trust, Rockland Auto, RM Auctions Inc. (aka "RM Sotheby's"), CFR Classic LLC, Hunter Motorsports, Keeler Motor Car Co., Wrist Afficionado, 1st Dibs, Cedric Dupont, Prive Porter, Platinum Times LLC, Timepiece Trading, Giganti and Giganti, Luxury Bazaar and Richemont North.

**AND IT IS FURTHER ORDERED** the Third-Party Defendants shall not destroy, alter or conceal any records (including both physical and digital records);

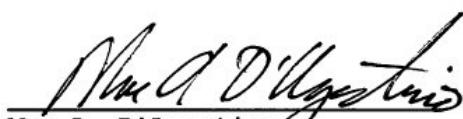
**AND IT IS FURTHER ORDERED** that service of a copy of the Verified Third-Party Complaint, this Order, and the underlying papers on which it has been granted, shall be deemed sufficient, as follows: by email to Kris Roglieri, at kris@primecommerciallending.com; to Kimberly ("Kimmy") Humphrey by email, at kimmy@primecommerciallending.com and via overnight courier to 600 Linkhorn Drive, Virginia Beach, Virginia; to Prime Capital Ventures,

LLC, Prime Commercial Lending, LLC, Commercial Capital Training Group, The Finance Marketing Group, National Alliance Of Commercial Loan Brokers LLC, and FUPME, LLC, by personal service or overnight courier at 66 Pearl Street – 10th Floor, Albany, New York 12207, to Plaintiff Compass-Charlotte 1031, LLC by email to William Esser, at willesser@parkerpoe; and upon the Berone Defendants by email to Fabian Stone (stone@beronecapital.com) and Jeremiah Beguesse (jeremiah@beronecapital.com) and overnight courier to A Registered Agent, Inc., 8 The Green – Suite A, Dover, Delaware 19901 and Sunshine Corporate Filings LLC, 7901 4th Street, N. – Suite 300, St. Petersburg, Florida, 33702, on or before Friday, February 2, 2024, shall be deemed good and sufficient service thereof;

**AND IT IS FURTHER ORDERED** that the Third-Party Defendants shall deliver any opposing papers in response to the Order to Show Cause no later than Wednesday, February 7, 2024 at 5:00 p.m. Service shall be made by delivering the papers by email to Receiver's counsel and by filing on PACER. The Receiver shall have until Monday, February 12, 2024, at 5:00 p.m. to serve any reply papers upon the Third-Party Defendants or their respective counsel, including by any form of service authorized in the foregoing paragraph.

**IT IS SO ORDERED.**

DATED: January 30, 2024

  
Mae A. D'Agostino  
U.S. District Judge



## EXHIBIT F

31

T

\*PRIME COMMERCIAL LENDING LLC  
66 S PEARL ST FL 10  
ALBANY NY 12207-1533

Questions or comments?

Call 1-800-821-2829

Commercial Transaction [REDACTED] 4465

\*PRIME COMMERCIAL LENDING LLC

Beginning balance 1-31-24	\$273,799.59
2 Additions	+5,352.14
16 Subtractions	-220,452.76
<b>Ending balance 2-29-24</b>	<b>\$58,698.97</b>

## Additions

Deposits	Date	Serial #	Source	
2-1			Direct Deposit, Vantage	Vantage
2-27	504955		Wire Deposit	Apex Closing Ser 8027
			<b>Total additions</b>	<b>\$5,352.14</b>

## Subtractions

Withdrawals	Date	Serial #	Location	
2-1			Google *Gsuite_Fuckyou	650-253-0000 CA \$12.96
2-2			Google*Gsuite Primecom	Cc Google.Com CA 276.42
2-5			Key Merchant Svdsdiscount	[REDACTED] 3881 308.06
2-6	260701		Wire Withdrawal NY Attorney Trus	8631 100,000.00
2-12			Aacfb	Louisville KY 899.00
2-12			Eig*Constantcontact.CO	Waltham MA 10.79
2-20			Internet Trf To DDA 000	[REDACTED] 4541 3290 15,000.00
2-20			Internet Trf To DDA 000	[REDACTED] 4541 3290 15,000.00
2-20			Fedex600507903	800-4633339 TN 32.14
2-22			Internet Trf To DDA 0000	[REDACTED] 4541 3290 70,000.00
2-22			Internet Trf To DDA 0000	[REDACTED] 4541 3290 15,000.00
2-23			Ipostalrenewal	[REDACTED] 770 NY 45.19
2-27			8X8, Inc.	888-898-8733 CA 163.48
2-29	540331		Wire Withdrawal	Erik J Martin 9470 1,563.58
2-29	541056		Wire Withdrawal	Saratoga Capital 7150 1,482.79
2-29	541007		Wire Withdrawal	26 Enterprise LI 0172 658.35
			<b>Total subtractions</b>	<b>\$220,452.76</b>

**Fees and  
charges**

*See your Account Analysis statement for details.*

